

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55155
WEDNESDAY, APRIL 25, 2012**

BOARD MEMBERS PRESENT:

Bob Burandt, Joe Collins, Jack Ditmore, Chris Elvrum, MDH; Quentin Fairbanks, Christy Jo Fogarty, Sandy Hooker, Paul Langseth, Tom Loveall, Keith Mykleseth, Brian Napstad, Tom Landwehr, DNR; Faye Sleeper, MES; Steve Sunderland, Gene Tiedemann, Gerald Van Amburg, Matt Wohlman, MDA

BOARD MEMBERS ABSENT:

Rebecca Flood, PCA
Todd Foster
John Meyer

STAFF PRESENT:

Don Buckhout, Tim Dykstal, Bill Eisele, Travis Germundson, Jim Haertel, John Jaschke, Sherri Johnson, Al Kean, Kari Keating, Misty Pellerin, Paul Senne, Ron Shelito, Pete Waller, Jason Weinerman, Dave Weirens, Brad Wozney

OTHERS PRESENT:

Leann Buck, MASWCD
Tim Koehler, NRCS
Doug Norris, DNR
Len Price, Conservation Corp. MN
James Adkinson, Conservation Corp. MN
Eric Antonson, Conservation Corp. MN

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Chair Napstad called the meeting to order at 9:04 a.m.

PLEDGE OF ALLEGIANCE

****** **ADOPTION OF AGENDA** Moved by Paul Langseth, seconded by Sandy Hooker, to
12-29 adopt the agenda as amended. Motion passed on a voice vote.

****** **MINUTES OF MARCH 28, 2012 BOARD MEETING –** Moved by Quentin Fairbanks,
12-30 seconded by Paul Langseth, to approve the minutes of the March 28, 2012, as
circulated. Motion carried.

INTRODUCTION OF NEWLY APPOINTED BOARD MEMBERS

Joe Collins, WD Representative
Jack Ditmore, Citizen
Steve Sunderland, SWCD Representative

INTRODUCTION OF NEW BWSR STAFF

Tim Dykstal, Fiscal Compliance Director
Misty Pellerin, Accounting Officer

REPORTS

Chair – Brian Napstad reported that he is ready to conduct the Executive Director's performance evaluation, but he is still missing a few evaluations. He is on the EQB Board (now vice chair), and that as part of the Executive Order they are looking for stakeholder input from people related to environmental permitting and are planning for an upcoming environmental congress, "State of the Environment". The Mississippi Headwaters Board met with the member counties involved to assess whether they were on the right track with the Clean Water Fund money they had received from BWSR.

Administrative Advisory Committee – John Jaschke reported on the agenda items that included; Legislative update, a revised Committee roster, the Buffalo Red River Watershed District enlargement petition, the Executive Director Performance Review schedule and a staffing update.

Executive Director – John Jaschke went through materials in the folder and provided a Legislative update that included: Environmental Policy Bills: HF 2164/SF 1830. RIM and Road Wetland Replacement Bonding Bills: HF 2622, HF1752, HF1752, SF 2577; the Legacy Omnibus Bills: SF 2493/HF 2430; and, the Omnibus Agriculture Policy Bill: HF2398.

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Dispute Resolution Committee – Travis Germundson reported that there has been one new appeal since the summary included in the board packet. File 12-06 is an appeal of a restoration order in Rock County. Travis provided an update on a couple of pending appeals and mentioned that with several new Dispute Resolution Committee appointments, he will discuss with the new committee chair the possibility of a training session with the Office of the Attorney General.

Wetlands Committee – Gerald Van Amburg reported that the Wetlands Committee will be meeting directly after the Board Meeting. He previously met with staff to discuss current business.

Grants Program & Policy Committee – Paul Langseth reported that the Grants Program & Policy Committee met after last month's meeting and they will have an item on the agenda.

Public Relations, Outreach & Strategic Planning Committee – Keith Mykleseth reported that they have not met.

RIM Reserve Management Planning Committee – Gene Tiedemann reported that they have not met but plan to next month.

Drainage Work Group – Tom Loveall reported that they have not met due to legislative session, but that they have received a report from Al Kean. The report deals with what is the effect of drainage tile on flooding based on analysis from the Red River Valley. The report will be posted on BWSR's website. The Drainage Work Group is looking to schedule a meeting in June.

COMMITTEE RECOMMENDATIONS

Grants Program & Policy Committee

Biennial Budget Request – Dave Weirens gave some background on the Biennial Budget Request. He walked the Board through the timeline to implement the Biennial Budget request and reviewed the policy. This process will replace the SWCD Annual Plan and the Allocation and Contribution Statements for the Natural Resources Block Grant. There was some discussion and several questions. Moved by Paul Langseth, seconded by Matt Wohlman to approve the Biennial Budget Request and authorize staff to implement this new approach to agency grant programs. Gerald Van Amburg called for the question. Motion passed on a voice vote.

Metro Water Planning Committee

Mississippi WMO Plan Amendment – Brad Wozney presented the final draft Amendment to the Mississippi WMO Watershed Management Plan, filed with the Board on March 20, 2012. The draft Order contains a summary of the changes and

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the reviewing agencies' comments. No comments were received during the public hearing that resulted in revisions to the draft Amendment. Moved by Bob Burandt, seconded by Faye Sleeper, to approve the Metro Water Planning Committee's recommendation to approve the Plan Amendment. Motion passed on a voice vote.

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12-32

Ramsey-Washington Metro WD Enlargement Public Hearing – Jim Haertel reported that the Cities of Roseville and Shoreview submitted a Petition to enlarge the Ramsey-Washington Metro Watershed District pursuant to Minn. Stat. § 103D.261. The Petition was accompanied by resolutions of concurrence from the two affected cities. The proposed enlargement would expand the District into the area of the soon to be dissolved Grass Lake WMO. Minn. Stat. § 103D.261, subdivision 2, subitem A, requires a public hearing be held before the Board makes a decision on the Petition. The Metro Water Planning Committee recommends a public hearing be held within 35 days of the date of the Board's Order after proper notice has been given, that the Committee preside over the public hearing and bring recommendations on the Petition to the Board, and that the Executive Director set the date, time and location of the public hearing after coordination with the appropriate parties per the attached draft Order. Moved by Bob Burandt, seconded by Tom Landwehr, DNR, to approve the Committee recommendation to set a public hearing. A date for the hearing is tentatively set for Tuesday, May 29, 2012. Motion passed on a voice vote.

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12-33

Wright SWCD Nomination Districts – Jim Haertel reported that the Wright SWCD currently has nomination districts for supervisors. The attached Nomination Districts Resolution does not change the current nomination districts, rather it clarifies them. The Wright County Auditor requested clarification due to the expansion of rural cities over the years. The resolution clarifies that the nomination districts remain along township lines regardless of city boundaries. The Wright SWCD Board of Supervisors unanimously adopted the resolution. The Metro Water Planning Committee, based on a unanimous vote recommends the Board approve the Resolution. Moved by Paul Langseth, seconded by Sandy Hooker, to approve the Nomination Districts Resolution per the one sentence resolution immediately under the signature of the Wright SWCD Secretary. Motion passed on a voice vote.

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12-34

Northern Water Planning Committee

Buffalo Red Watershed District Enlargement and Increase of Managers Petition –

Ron Shelito and Pete Waller reported that the Enlargement and increase in Number of Managers of the Buffalo Red River Watershed District (BRRWD) was held February 23rd as a result of the January 4, 2012 petition from the Buffalo Red River Watershed District, Otter Tail County and Wilkin County. This is the same area Wilkin County Petitioned to establish the Upper Red Lower Otter Tail Watershed District. At the September 7, 2011 establishment hearing, Otter Tail County suggested enlarging the

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BRRWD as an alternative to establishing a new watershed district. Wilkin County agreed to have their establishment petition held in abeyance to allow time for Wilkin and Otter Tail Counties and the BRRWD to further explore Otter Tail County's suggestion. The Northern Water Planning Committee met April 11, 2012, reviewed and recommends approval of the enlargement and increase in the number of managers petition of the BRRWD. Increase the number of managers to seven with the distribution of: 3-Clay County, 2-Wilkin County, 1-Becker County and 1-Otter Tail County; and the BRRWD's Watershed Management Plan be amended within two years.

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12-35 Moved by Paul Langseth, seconded by Gene Tiedemann, to approve the Northern Water Planning Committee recommendation of the approval of the enlargement and increase in the number of managers petition of the BRRWD and to increase the number of managers to seven. Gerald Van Amburg abstained. Motion passed on a voice vote.

Crow Wing SWCD Supervisor Boundary Change Request – Quentin Fairbanks reported that the Crow Wing Soil and Water Conservation District is requesting that BWSR approve a change to Supervisor Nomination Districts. At their January 18, 2012 regular board meeting, the Crow Wing board of supervisors voted to change the boundaries of supervisor nomination Districts 3 and 4 (see attached map). The purpose of the change is to have the Whitefish Chain of Lakes entirely within on nominating district (District 4). This would be achieved by the City of Crosslake from District 3 and placing it in District 4. Moved by Keith Mykleseth, seconded by Quentin Fairbanks to approve the change to Supervisor Nomination Districts. Motion passed on a voice vote.

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12-36

Isanti County Five Year Plan Amendment – Quentin Fairbanks reported that on June 30, 2006, the Board of Water and Soil Resources approved Isanti County's Comprehensive Local Water Management Plan for a ten year period from 2006-2016 with a required amendment by May 2011. On April 20, 2011, the county passed a resolution to begin the amendment process. The amended plan was submitted to the Brainerd field office on December 5, 2011. The Northern Water Planning Committee met on April 11, 2012 where they reviewed the plan amendment and recommended approval of the amendment through May 31, 2016. Moved by Keith Mykleseth, seconded by Quentin Fairbanks, to approve the amendment through May 31, 2016. Motion passed on a voice vote.

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12-37

Itasca County Local Water Management Plan Amendment – Quentin Fairbanks reported that Itasca County submitted their amended Local Water Management Plan for final state review and comment. The Northern Water Planning Committee met on April 11, 2012 and recommends approval of the Plan amendment. Moved by Quentin Fairbanks, seconded by Sandy Hooker, to approve the Itasca County Local Water Management Plan Amendment. Motion passed on a voice vote.

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12-38

NEW BUSINESS

Conservation Corps Minnesota & Iowa Apprentice Program – The Conservation Corps of Minnesota and Iowa partners with BWSR for Clean Water Funding and the highly successful SWCD Apprentice Academy. The Apprentice Academy transfers knowledge from experienced professionals to the next generation of conservation managers. Real-world experience gained with SWCDs during their busy construction season is experience textbooks cannot convey. Len Price and James Adkinson presented the results of year one and addressed where the effort is expected go in 2012 and beyond.

AGENCY REPORTS

Minnesota Department of Agriculture – Matthew Wohlman reported that MDA Ag Water Quality Certification Task Force will be named in May and begin their work in June.

Minnesota Department of Health – Chris Elvrum reported that Health pulled together a meeting with different agencies to discuss Frac Sand mining.

Minnesota Department of Natural Resources – Tom Landwehr reported on the recent grasslands meeting that included NRCS Chief Dave White. CRP acres will be coming up for renewal and it is likely that a lot of landowners may not renew. There are discussions underway on how to keep more grass on the landscape. He also updated members on the legislative status of the school trust land management issue.

ADVISORY COMMENTS

Minnesota Association of Soil and Water Conservation Districts – LeAnn Buck welcomed new board members. MASWCD has policy positions related to some of what BWSR does and if there are comments to let her know. Streamlining of federal programs is one expected outcome of the next federal farm bill. The Ag water certainty project includes several SWCD representatives. LeAnn was asked about the BBR and what MASWCD thinks. The Association has not taken a position on this program because they are still learning. They have some reservations yet, but support the goal of the effort.

Minnesota Association of Townships – Sandy Hooker reported that they have a new Executive Director and they are excited about him taking them in a new direction.

Natural Resources Conservation Service – Tim Koehler reported that they are working with RIM /WRP funds in the Red River Valley. There have been some expressed needs for increased technical support. NRCS has been working with BWSR's Engineering and Easement staff to work on a process for the local government units to know who does what.

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UPCOMING MEETINGS

Next Board Meeting – May 23, 2012

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12-39 Moved by Bob Burandt, seconded by Paul Langseth, to adjourn the meeting at 1:05 p.m. Motion passed on a voice vote.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Brian Napstad".

Brian Napstad
Chair